

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

PERRY FULLER,

Plaintiff,

v.

No. 1:12-cv-01285-JDB-egb

TEAMSTERS LOCAL UNION No. 217,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

On March 1, 2013, the Defendant, Teamsters Local Union No. 217, moved to dismiss the Plaintiff, Perry Fuller's, complaint pursuant to Rules 12(b)(6), 12(e), 16(f)(1), and 41(b) of the Federal Rules of Civil Procedure. (Docket Entry, "D.E." 12.) Fuller failed to respond to the motion. On April 17, 2013, the Plaintiff was ordered to show cause why his complaint should not be dismissed for failure to prosecute. (D.E. 14.) When he failed to respond to the show cause order, Magistrate Judge Ed Bryant entered a report and recommendation finding that the Court should grant the Defendant's motion to dismiss for noncompliance with a court order. (D.E. 16.) On June 7, 2013, Fuller submitted a handwritten letter, which the Court construed as a motion for reconsideration. (D.E. 17.). This motion was referred to Magistrate Judge Bryant. (D.E. 19.). On June 19, 2013, Judge Bryant recommended that the motion for consideration be denied and reaffirmed his previous report that Defendant's motion to dismiss be granted. According to the Court's docket, no objections to the magistrate judge's June 19 report and recommendation have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), and the time for filing objections has passed. See Fed. R. Civ. P. 72(b).

After a review of the magistrate judge's report and recommendation, the Court ADOPTS Judge Bryant's findings and recommendations, and DISMISSES Fuller's complaint against Teamsters Local

Union No. 217.

IT IS SO ORDERED this 15th day of July, 2013.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE